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BEFORE THE ARIZONA CORPORATION COMMISSION
Arizona Corporation Commission

COMMISSIONERS**DOCKETED**

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

NOV 14 2005

DOCKETED BY

DOCKET NO. RR-03639A-05-0450

DECISION NO. **68294**ORDER

IN THE MATTER OF THE APPLICATION
OF THE UNION PACIFIC RAILROAD TO
UPGRADE ITS EXISTING CROSSINGS
PROTECTED ONLY BY CROSSBUCKS
IN ARIZONA.

Open Meeting
Nov. 8 & 9, 2005
Phoenix, Arizona

BY THE COMMISSION:

On June 22, 2005, the Union Pacific Railroad Company ("Railroad") filed an application with the Arizona Corporation Commission ("Commission") requesting authorization for the installation of yield or stop signs at all 82 public crossings protected only by crossbucks ("Application").

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On June 22, 2005, the Railroad filed an Application with the Arizona Corporation Commission ("Commission") requesting authorization for the installation of yield or stop signs below crossbuck signs at all 82 of the Railroad's public crossings without automatic warning devices ("Application").

2. The Application provides for the Railroad to install new yield or stop signs below the crossbuck warnings at all at-grade crossings that are only protected by crossbucks.

3. The Railroad will pay for the installation of the crossing upgrades as provided in the Application.

4. Staff recommends approval of the Application.

CONCLUSIONS OF LAW

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2 1. The Commission has jurisdiction over the parties and over the subject matter of the
3 Application pursuant to Article XV of the Arizona Constitution and A.R.S. §§ 40-336 and 40-337.

4 2. Installation of the crossing upgrades is necessary for the public's convenience and
5 safety.

6 3. The Application should be approved as recommended by Staff. After installation of
7 the crossing upgrades, the Railroad should maintain the crossings in accordance with A.A.C. R14-5-
8 104.

ORDER

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10 IT IS THEREFORE ORDERED that the Union Pacific Railroad Company's Application is
11 hereby approved.

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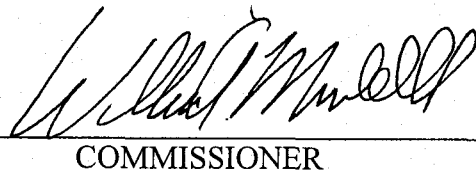
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IT IS FURTHER ORDERED that the Union Pacific Railroad Company shall complete the crossing upgrades as described in the Application within fifteen months from the effective date of this Decision.

IT IS FURTHER ORDERED that the Union Pacific Railroad Company shall notify the Commission, in writing, within ten days of both the commencement and the completion of the crossing upgrades pursuant to A.A.C. R14-5-104.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN

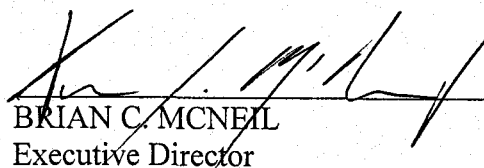

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 14th day of November, 2005.


BRIAN C. MCNEIL
Executive Director

DISSENT: _____

DISSENT: _____

1 Anthony J. Hancock
2 Ernest Collins, Jr.
3 Terrance L. Sims
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